

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 09-40177

RIVERSIDE COMMONS LIMITED
PARTNERSHIP,

Chapter 11

Judge Thomas J. Tucker

Debtor.

**ORDER REQUIRING DEBTOR TO AMEND
FIRST AMENDED DISCLOSURE STATEMENT**

On May 18, 2009, Debtor filed an amended plan and disclosure statement, in a document entitled "Debtor's Combined Disclosure Statement Plan of Reorganization" (Docket # 88). The Court cannot yet grant preliminary approval of the disclosure statement contained within this document ("Disclosure Statement"). The Court notes the following problems, which Debtor must correct.

First, as required in the Court's "Order Requiring Debtor to Amend Disclosure Statement," filed on May 12, 2009 (Docket # 81), Debtor must amend the Plan to state that Group II includes the § 507(a)(8) priority tax claim of the State of Michigan in the amount of \$5,279.35.

Second, the Plan at Paragraph 2.2 on page 7 states: "The Claims of Group II shall consist of all other Priority Creditors entitled to receive priority for the Allowed Claim under §507(a) of the Bankruptcy Code, **including, without limitation, any claimants who have Allowed Claims which are Priority Claims for wages or for contributions to any employee benefit plan**" (Emphasis added). Debtor must state whether there are any such claims and if so, estimate the amount of such claims.

Third, Article III, Paragraph 3.4 of the Plan on page 9, which describes the treatment of

Class IV claims, contains typographical errors. In the first sentence, the Class is erroneously referred to as “Class V.” This paragraph also erroneously states that LifeHouse has a “secured claim of \$2,871,050.94” when, according to Paragraph 3.3 of the Plan on page 9, it has a secured claim of “2,877,781.80.” Also, the amount of the general unsecured claim is stated to be “2,915,520.23,” when it should be \$2,908,789.27. Debtor must correct these errors. Debtor must also correct the dollar amounts in Paragraph 3.3 of the Disclosure Statement on page 32, which describes the treatment of Class IV claims and which also erroneously states that LifeHouse has a “secured claim of \$2,871,050.94” and a general unsecured claim of “\$2,915,520.23.”

Accordingly,

IT IS ORDERED that Debtor must file, no later than **May 28, 2009**, an amended combined plan and disclosure statement which corrects the above stated problems.

IT IS FURTHER ORDERED that Debtor also must provide to Judge’s chambers, no later than **May 28, 2009**, a redlined version of the amended combined plan and disclosure statement, showing the changes Debtor has made to “Debtor’s Combined Disclosure Statement Plan of Reorganization” filed May 18, 2009. Debtor must submit this redlined document to chambers electronically, through the Court’s order submission program.

Signed on May 26, 2009

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge